

REMARKS

Claims 1 through 20 are currently pending in the application.

This amendment is in response to the Office Action of September 26, 2002.

In the Office Action, claims 1, 2, 6 through 10, and 13 through 20 were rejected under 35 U.S.C. § 102(b) as being anticipated by the Sehr reference (United States Patent 6,085,976).

Applicants submit that a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Brothers v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The identical invention must be shown in as complete detail as is contained in the claim. *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Applicants submit that the Sehr reference does not and cannot anticipate under 35 U.S.C. § 102 the presently claimed invention of amended independent claims 1, 9 and 16 because the Sehr reference does not describe, either expressly or inherently, the identical inventions in as complete detail as are contained in the claims. More specifically, Applicants submit that the Sehr reference does not describe, either expressly or inherently, the elements of the claimed inventions of presently amended independent claims 1, 9, and 16 calling for “receiving a data card including printed indicia descriptive of user information of at least one of information about a sender of said data and information about a recipient for said data and data information of at least one of credentials for authorization of a print job, credentials for authentication of a print job, information for decryption of a print job, and information for identification of a print job, said printed indicia comprising access credentials for access to said data, reading said printed indicia to use said user information and data information to verify said access credentials, and providing access to said data in response to said verification”, “reading indicia from a printed card descriptive of user information of at least one of information about a sender of said data and information about a recipient for said data and data information of at least one of credentials for authorization of a print job, credentials for authentication of a print job, information for decryption of a print job, and information for identification of a print job, said indicia comprising access credentials for access to said data, verifying said access credentials based on said indicia, and providing access to data in response to said verification of said access credentials for access to said data”, and “receive a data card including printed indicia descriptive of user information of at least one of

information about a sender of said data and information about a recipient for said data and data information of at least one of credentials for authorization of a print job, credentials for authentication of a print job, information for decryption of a print job, and information for identification of a print job, said indicia comprising access credentials for access to said data, read said indicia to access said user information and data information for verifying said access credentials, and provide access to said data on the basis of said verifying said access credentials”.

In contrast to the elements of the presently claimed inventions of amended independent claims 1, 9, and 16 as set forth herein, the Sehr reference only explicitly describes a network system for generating airline travel tickets using a passenger card (11) that includes smart cards . . . [that can] . . . input, store, process, output, and display data relating to tickets, passengers, and systems entities; as well as to services rendered via the card (See column 6, lines 16 through 38.) Applicants submit that such network and use of a passenger card therein does not and cannot describe the presently claimed elements of the inventions of amended independent claims 1, 9, and 16 under 35 U.S.C. § 102.

Therefore, presently amended independent claims 1, 9, and 16 are not anticipated by the Sehr reference under 35 U.S.C. § 102 . Accordingly, such claims are allowable over the cited prior art.

Claims 3 through 5, 11, and 12 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Sehr (United States Patent 6,085,976) in view of Colgate, Jr. (United States Patent. 5,786,587).

Applicants further submit that to establish a *prima facie* case of obviousness under 35 U.S.C. § 103 three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Third, the cited prior art reference must teach or suggest all of the claim limitations. Furthermore, the suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on Applicants’ disclosure.

Applicants submit that any proposed combination of the Sehr reference in view of the Colgate reference does not and cannot establish a *prima facie* case of obviousness under 35 U.S.C. § 103 regarding the presently claimed invention of amended independent claims 1, 9

and 16, as well as dependent claims 3 through 5 11, and 12 because, at the very least, the cited prior art does not teach or suggest all the claim limitations of the presently claimed invention as set forth hereinabove. Applicants submit that any proposed combination of the Sehr reference and the Colgate reference does not teach or suggest the claim limitations calling for “receiving a data card including printed indicia descriptive of user information of at least one of information about a sender of said data and information about a recipient for said data and data information of at least one of credentials for authorization of a print job, credentials for authentication of a print job, information for decryption of a print job, and information for identification of a print job, said printed indicia comprising access credentials for access to said data, reading said printed indicia to use said user information and data information to verify said access credentials, and providing access to said data in response to said verification”, “reading indicia from a printed card descriptive of user information of at least one of information about a sender of said data and information about a recipient for said data and data information of at least one of credentials for authorization of a print job, credentials for authentication of a print job, information for decryption of a print job, and information for identification of a print job, said indicia comprising access credentials for access to said data, verifying said access credentials based on said indicia, and providing access to data in response to said verification of said access credentials for access to said data”, and “receive a data card including printed indicia descriptive of user information of at least one of information about a sender of said data and information about a recipient for said data and data information of at least one of credentials for authorization of a print job, credentials for authentication of a print job, information for decryption of a print job, and information for identification of a print job, said indicia comprising access credentials for access to said data, read said indicia to access said user information and data information for verifying said access credentials, and provide access to said data on the basis of said verifying said access credentials”.

Applicants submit that any rejection of the presently claimed invention based upon any combination of the Sehr reference and the Colgate reference under 35 U.S.C. § 103 would be a hindsight reconstruction of the presently claimed invention based solely upon the Applicants’ disclosure. Such a rejection is neither within the ambit nor the purview of 35 U.S.C. § 103 and, clearly, improper. As evidence that any rejection of the presently claimed invention based upon the Sehr reference and the Colgate reference is a hindsight reconstruction of the presently claimed invention, Applicants submit that since the cited prior

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art is directed to a network system for generating airline tickets, there is no suggestion or teaching whatsoever in the cited prior art for any modification thereof to yield the presently claimed invention but, solely, Applicants' own disclosure.

Therefore, claims 3 through 5, 11, and 12 are clearly allowable over the cited prior art of the Sehr reference in view of the Colgate reference under 35U.S.C. § 103.

Applicants submit that claims 1 through 20 are clearly allowable over the cited prior art for the reasons set forth herein.

Applicants request the allowance of claims 1 through 20 and the case passed for issue.

Respectfully submitted,



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Enclosure: Version of Claims with Markings to Show Changes Made

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VERSION OF CLAIMS WITH MARKINGS TO SHOW CHANGES MADE

1. (Amended) An information processing method for a user of a printer for access to data to be printed by said printer comprising:

receiving a data card including printed indicia descriptive of user information of at least one of information about a sender of said data and information about a recipient for said data and data information of at least one of credentials for authorization of a print job, credentials for authentication of a print job, information for decryption of a print job, and information for identification of a print job, said printed indicia comprising access credentials for access to said data;

reading said printed indicia to use said user information and data information to verify said access credentials; and

providing access to said data in response to said verification.

8. (Amended) The method of Claim 1, wherein said user information comprises information regarding the identification of the sender and [or] the identification of a recipient.

9. (Amended) A system for processing information for a user of a printer for access to data to be printed by said printer comprising:

a processor capable of executing the following process:

reading [read] indicia from a printed card descriptive of user information of at least one of information about a sender of said data and information about a recipient for said data and data information of at least one of credentials for authorization of a print job, credentials for authentication of a print job, information for decryption of a print job, and information for identification of a print job, said indicia comprising access credentials for access to said data;

verifying [verify] said access credentials based on said indicia; and

providing [provide] access to data in response to said verification of said access credentials for access to said data.

13. (Amended) The system of Claim 9, wherein said user information comprises information regarding the identification of a [the] sender and a [or] recipient.

17. A system for processing information for a user of a printer for access to data to be printed by said printer comprising:

a computer operably coupled to an external peripheral device to form a network, said network being operable to:

receive a data card including printed indicia descriptive of user information of at least one of information about a sender of said data and information about a recipient for said data and data information of at least one of credentials for authorization of a print job, credentials for authentication of a print job, information for decryption of a print job, and information for identification of a print job, said indicia comprising access credentials for access to said data;

read said indicia to access said user information and data information for verifying said access credentials; and

provide access to said data on the basis of said verifying said access credentials [verification].